

# Update from Department of Ecology to the Joint Task Force on Water Mitigation

Dave Christensen

Water Resources Program

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## Background

RCW 90.94.090(13) states, “By November 15, 2019, and November 15, 2022, the department must provide the [Water Mitigation] task force with an update on the mitigation plans based on additional information developed after November 15, 2018.

This update is intended to meet the November 15, 2022 requirement.

## Pilot applications that have been approved

### City of Yelm

The City of Yelm submitted a watershed mitigation plan to Ecology in April 2021. The mitigation plan uses both in-kind (direct replacement flow) and out-of-kind (riparian protection and habitat improvements) mitigation actions that demonstrate achieving a net ecological benefit (NEB). The significant additions to its former mitigation plan are:

- An updated water right acquisition search.
- Increased recharge at the Cochrane Park reclaimed water facility.
- New in-kind water by securing an additional discharge of water to the Nisqually River at La Grande Dam.
- NEB evaluations on its two out-of-kind projects. Ecology evaluated the proposal and determined that the mitigation achieved a NEB.

Ecology approved the application from the City of Yelm on June 16, 2022.

## Pilot project participants still developing mitigation plans

The remaining pilot project applicants continue working to develop their mitigation plans. Each one faces unique circumstances and challenges in developing a mitigation plan that will be supported by Ecology and external interests.

### *City of Sumner*

The City continues development of the White River habitat restoration project along with securing water rights from Cascade Water Alliance to enhance instream flows. Sumner is awaiting the release of the United States Geological Survey's (USGS) Southeast Sound (SES) groundwater model prior to finalizing its mitigation plan.

There have been no changes in the status of their mitigation plan since 2019. Ecology has not received a draft mitigation plan from the City of Sumner.

### *Spanaway Water Company*

Spanaway Water Company is also awaiting the release of the USGS SES groundwater model. However, it is still apparent that there will or could be impacts, in very small quantities, in locations so far afield from the company's service area that mitigation options may not be available.

There have been no changes in the status of their mitigation plan since 2019. Ecology has not received a draft mitigation plan from Spanaway Water Company.

### *City of Port Orchard*

The City of Port Orchard is engaged in talks with external interests to assess which mitigation projects would receive the most support from fisheries co-managers. Port Orchard faces the challenge of addressing impacts to tens of independent streams that discharge directly to saltwater, some of which lie outside of the City's municipal water system.

There have been no changes in the status of their mitigation plan since 2019. Ecology has not received a draft mitigation plan from the City of Port Orchard.

### *Ag Water Board of Whatcom County*

The Ag Water Board of Whatcom has submitted a water right application to Ecology for processing the streamflow augmentation project on Dakota creek and is working with Ecology on the mitigation sequencing steps.

There have been no changes in the status of their mitigation plan since 2019. Ecology has not received a draft mitigation plan from the Ag Water Board of Whatcom County.